

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX

FRANK C. POLLARA GROUP,LLC)	
FRANK C. POLLARA , Individually)	
)	
Plaintiffs,)	
)	
vs.)	Civil Action No. 1:09-cv-60
)	
OCEAN VIEW INVESTMENT HOLDING)	
LLC, FORMERLY KNOWN AS)	
SOUTHGATE CROSSING INVESTMENTS)	
LLC; OMEI GROUP, LLC; LUCY CHENG;)	
AND MAIT DUBOIS,)	
)	
Defendants.)	

AMBROSE, District Judge

ORDER OF COURT

AND NOW, this 22nd day of July, 2011, after careful consideration, the Motions to Dismiss pending at ECF Docket Nos. [61] and [63] are hereby DENIED as MOOT. The Motions sought the dismissal of Plaintiffs' First Amended Complaint. The Plaintiffs have since filed, with the permission of this Court and over the Defendants' objections, a Second Amended Complaint. The Second Amended Complaint appears designed to address those issues raised

in the pending Motions. A properly filed amended complaint renders moot a pending motion to dismiss.

It is hereby FURTHER ORDERED that the Defendants file a responsive pleading to the Second Amended Complaint within 10 days of the date of this Order.¹

By the Court:

/s/ Donetta W. Ambrose

Donetta W. Ambrose

Senior U.S. District Judge

¹ I note that the Second Amended Complaint was filed on June 9, 2011, giving the Defendants ample time in addition to the time granted in this Order within which to draft a responsive pleading.